

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN STEVEN OLAUSEN,

Case No. 3:19-cv-00549-ART-CLB

Plaintiff,

ORDER

v.

G. CARPENTER, *et al.*,

Defendants.

On September 4, 2019, *pro se* Plaintiff John Olausen initiated this action by submitting a Complaint. (ECF No. 1). Plaintiff did not attach an IFP application to his complaint. Accordingly, on September 5, 2019 the Court gave Plaintiff 30 days to file a complete IFP application. (ECF No. 4). On April 21, 2021 the Court issued a screening order granting Plaintiff's IFP application. (ECF No. 22). On March 14, 2022 Defendants filed a Motion for Summary Judgment (ECF No. 49).

Plaintiff now files a notice of voluntary dismissal. (ECF No. 65). Plaintiff avers that he is no longer willing or able to prosecute this action *pro se* due to continuing dental pain and worsening stress and anxiety. (ECF No. 65 at 2-3).

Under Federal Rule of Civil Procedure 41(a)(2) a Court may dismiss an action by court order "on terms that the court considers proper." Fed. R. Civ. P. 41(a)(2). Given Plaintiff's *pro se* status, the Court construes Plaintiff's notice of voluntary dismissal as a motion, and grants Plaintiff's motion to voluntarily dismiss this action. This dismissal is without prejudice.

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1 IT IS THEREFORE ORDERED THAT Plaintiff's notice of voluntary dismissal
2 (ECF No. 65) is GRANTED.

3 IT IS FURTHER ORDERED THAT this action is dismissed in its entirety
4 without prejudice.

5 IT IS FURTHER ORDERED that the Clerk of Court will close this case.

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7 DATED THIS 26th day of September 2022.
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12 ANNE R. TRAUM
13 UNITED STATES DISTRICT JUDGE
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